

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:99-CR-00154-GCM-SCR**

UNITED STATES OF AMERICA,)	<u>ORDER OF CONTINUING GARNISHMENT</u>
Plaintiff,)	
))	
v.)	
))	
DWAYNE LAMONT THOMPSON,)	
Defendant,)	
))	
and)	
))	
INDUSTRIAL ELECTRIC, INC.,)	
Garnishee.)	
))	

THIS MATTER is before the Court on the Government's Motion for Order of Continuing Garnishment (Doc. No. 192) and the Answer of Garnishee (Doc. No. 191).

Judgment in the criminal case was entered on August 8, 2000. (Doc. No. 79). As part of that Judgment, Defendant, Dwayne Lamont Thompson, was ordered to pay an assessment of \$500.00 and restitution of \$47,465.25 to the victims of his crime. Id.

On September 24, 2024, the Court entered a Writ of Continuing Garnishment ("Writ") as to Garnishee, Industrial Electric, Inc. (Doc. No. 188). Defendant was served with the Writ and Instructions notifying him of his right to request a hearing and/or claim exemptions on September 27, 2014. (Doc. No. 190). Garnishee was served with the Writ and Instructions on September 27, 2024. Id. Garnishee filed an Answer on October 14, 2024, stating that at the time of service of the Writ, Garnishee had in its custody, control, or possession property or funds owned by Defendant, including nonexempt, disposable earnings. (Doc. No. 191). Garnishee certified that it served the Answer on Defendant on October 8, 2024. Id. Defendant did not request a hearing, and the statutory time to do so has elapsed.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$26,364.50 computed through September 23, 2024. Garnishee shall pay the United States up to the lesser of:

1. twenty-five percent (25%) of Defendant's disposable earnings which remain after all deductions required by law have been withheld, or
2. the amount by which Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage.

See 15 U.S.C. § 1673(a). Garnishee shall continue payments until the debt to the United States is paid in full; until Garnishee no longer has custody, possession, or control of any property belonging to Defendant; or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

CLERK OF THE UNITED STATES DISTRICT COURT
ATTN: FINANCE DEPARTMENT
401 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202

To ensure that each payment is credited properly, the following should be included on each check:

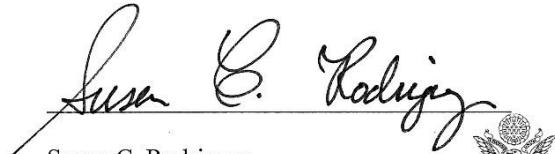
Defendant's Name Dwayne Lamont Thompson, Case Number DNCW3:99CR154-4.

IT IS FURTHER ORDERED that Garnishee shall advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

IT IS FURTHER ORDERED that the United States shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

Signed: December 5, 2024

SO ORDERED.



Susan C. Rodriguez
United States Magistrate Judge

